

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE RIO PIEDRAS EXPLOSION      \* CIVIL NO.96-2443  
   \* INDIV CASES NO: 97-2669 (RJW)  
   AND 97-2668 (RJW)  
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**MOTION RESPONDING TO U.S. MAGISTRATE ORDER**

Come now Plaintiffs, Ramona Acosta heirs, Arcadio Jimenez only heiress, Elvin Acosta, and Rolando Diaz Peralta as represented by his mother, Aida Peralta and most respectfully appear to reply as requested per Hon. Aida Delgado's last issued order:

**RE, RAMONA ACOSTA, DECEASED PLAINTIFF**

1. In reference to Ramona Acosta, a deceased plaintiff, she left several sons and daughters<sup>1</sup> as her heirs to the \$40,000.00 which was already obtained for her as final settlement of her claims.
2. This attorney applied to the local Court in San Juan, cases 97-2236 and
3. 97-2237 for the issuance of a heirship declaration on December 20, 2002. A new petition had to be filed since the December 20 2002 one somehow became lost in said Court.

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<sup>1</sup> These are: Ada Antigua Acosta, Rafael Camilo Acosta, Agustina Acosta, Valerio Acosta, Polonia Acosta, Yovanni Acosta. This last heir died in 1999 and left two daughters, Sonya Acosta and Johanna Acosta who must share the 1/6 of the \$40,000.00 settlement sum. At present, none of the above mentioned have been able to locate Johanna Acosta's address. In Sonya Acosta's case, she opted to break all communications with this attorney in order to receive exclusive "competent legal advice" from one of our fired ex-secretaries, illegally turned into an ad hoc attorney all by herself'. This is Nora Reyes Calero

4. Nevertheless, this attorney filed a new petition. Several document were requested by said local Court. Said documents were submitted in original forms. The Superior Court Judge, Candal Segurola, requested a draft heirship declaration . At this time we are awaiting for said judicial document to arrive by mail in the next two or three weeks.

RE, ARCADIO JIMENEZ, DECEASED PLAINTIFF

AND LATE RESIDENT IN THE STATE OF TEXAS

5. This plaintiff moved to Texas before he died. His heir and only daughter produced a heirship declaration as requested by this attorney in order to submit the same to the Enron defendant attorneys. Said heirship declaration happened to have been sent not to this attorney but to Mrs. Carmen Tacoronte who already has it under this Court's custody since a month ago according to her. Therefore, there is no need to file said document since it is already under this Court's custody, unless this Hon.Court may order otherwise. Since this attorney received said information yesterday, we care to relay it to this Court today.

6. Given the above reported situation, this attorney will inform defendant attorneys of said heirship declaration in order that they may authorize the

appropriate payment or release of the applicable funds in check form to be disbursed to to said deceased plaintiff's only heir, Mrs. Elvin Jimenez.

RE: ROLANDO DIAZ PERALTA (A MINOR CLAIMANT)

7. In Rolando's case, we had also had requested a hearing in order to request the legally mandated Court authorization to finally settle a minor of age judicial claim. At present he is fifteen years of age and presently residing in New York city. However, last April 28 and May 18<sup>th</sup> we appeared at the local Superior Court mandated hearing to request said settlement authorization.

8. At said hearing of last May 18<sup>th</sup>, the state attorney assigned to represent minors acquiesced to our petition that the money settlement as assigned to Rolando's claim, be immediately accepted. The Judge sitting in the bench was Hon. Hector Lopez Garcia who promised to issue a reply to said authorization request in a manner of 10 days, that is, on May 28<sup>th</sup> at the latest. We are at present attempting to contact said local Court Judge in order to receive the corresponding judicial authorization resolution.

9. Given the above described factual situation, we shall request on behalf of these 9 plaintiff claimants that a thirty day period be computed or be granted after the date in which this Court should notify its pronouncement or resolution in

relation to this motion so that all the requested documents be given a fair opportunity to be duly received by this attorney and then forwarded to defendant counsels.

RESPECTFULLY SUBMITTED

Today, June 15<sup>th</sup> 2004 in San Juan, Puerto Rico

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